



June 2007

Information Request Questions: Insurance Coverage – Ability to Pay PRPs

When Region determines through earlier 104(e) requests, or otherwise, that a PRP's financial viability is in question (e.g., ability-to-pay), a Region should consider requesting additional information about the PRP's insurance policies with requests for information such as the ones below:

1. Provide copies of all casualty, liability and/or pollution insurance policies, and any other insurance contracts referencing the site or facility (including, but not limited to, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies, Institutional Controls and Post Remediation Care Insurance) that Respondent identified pursuant to Question ___ of EPA's [date] request. [Delete this request if copies were provided with response to initial request.] Include any and all policies providing the Respondent with liability insurance relating to the Site property. [Please note: if the request is being sent to an owner/operator PRP, then information should be requested from the beginning of the time the PRP first owned and operated the particular Site. If the request is being made of an arranger/transporter PRP, the time period should date from when the arranger/transporter first sent materials to the Site.]
2. To the extent not provided in Question 1 above, provide copies of all insurance policies that may potentially provide the Respondent with insurance for bodily injury, property damage and/or environmental contamination in connection with the Site and/or Respondent's business operations. Include, without limitation, all comprehensive general liability, primary, excess, and umbrella policies.
3. To the extent not identified in Questions 1 or 2 above, provide all other evidence of casualty, liability and/or pollution insurance issued to Respondent for the period being investigated as identified in Question 1.
4. If there are any such policies from Questions 1, 2, or 3 above of which you are aware but neither possess copies, nor are able to obtain copies, identify each such policy to the best of your ability by identifying:
 - a. The name and address of each insurer and of the insured;
 - b. The type of policy and policy numbers;
 - c. The per occurrence policy limits of each policy; and
 - d. The effective dates for each policy.
5. Identify all insurance brokers or agents who placed insurance for the Respondent at any time during the period being investigated as identified in Question 1, and identify the time period

during which such broker or agent acted in this regard. Identify by name and title, if known, individuals at the agency or brokerage most familiar with the property, pollution and/or liability insurance program of Respondent and the current whereabouts of each individual, if known.

6. Identify all previous settlements by Respondent (or Respondent's predecessors) with any insurer which relates in any way to environmental liabilities and/or to the policies referenced in Questions 1-4 above, including:
 - a. The date of the settlement;
 - b. The scope of release provided under such settlement;
 - c. The amount of money paid by the insurer pursuant to such settlement.

Provide copies of all such settlement agreements.

7. Identify all communications and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Respondent under any insurance policy referenced in Questions 1-4 above. Include any responses from the insurer with respect to any claims.
8. Identify any and all insurance, accounts paid or accounting files that identify Respondent's insurance policies.
9. List all named insureds on property, pollution and/or casualty liability insurance providing coverage to Respondent during the period being investigated as identified in Question 1, and the date such named insureds appeared on the policies.
10. Identify any person or organization requiring evidence of Respondent's casualty, liability and/or pollution insurance during the period being investigated as identified in Question 1, including the nature of the insurance requirement and the years when the evidence was required.
11. Identify Respondent's policy with respect to document retention.